

REMARKS

Examiner Vortman now makes “final” the rejection of claims 14-19, 21, 23 and 26, under 35 U.S.C. § 102(b) as being anticipated by Oiwa (JP ‘817), and the rejection of claim 20 under 35 U.S.C. § 103(a) as being unpatentable (obvious) over Oiwa.

The rejection under 35 U.S.C. § 102(b) requires that Oiwa disclose, either expressly or inherently, each limitation of parent claim 14 and its dependent claims, or in other words, that parent claim 14 and its dependent claims be **readable** on Oiwa’s disclosure. Applicant respectfully submits clearly such is **not** the case here.

The rejection under 35 U.S.C. § 103(a) requires that Oiwa teach, or at least suggest, all of the limitations of dependent claim 20 (20/14). Again, clearly such is not the case here.

The drawings of Applicant and Oiwa show that their respective alternator structures are quite different; however, the Examiner apparently finds literal readability of Applicant’s independent claim 14 by the following assertion:

However, beside being separated axially, said heat sink (42) is also separated radially from said first heat sink (41), as clearly shown in Fig. 7 and 8 of Oiwa (see below).

The Examiner then states, that:

“Therefore, claim 14, as amended, still reads on the Oiwa’s device and the rejection is hereby maintained”.

However, even assuming *arguendo* the correctness of the Examiner’s interpretation of Figs. 7 and 8 of Oiwa, the heat sinks 41 and 42 of Oiwa overlap in the radial direction, whereas there is no such radial overlap in Applicant’s invention.

To avoid any superficial, unintended readability of claim 14 on Oiwa, Applicant proposes to amend claim 14 so that said second heat sink is separated radially outward from the first heat sink “without radially overlapping said first heat sink” (as shown in Applicant’s drawings).

Thus, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection under 35 U.S.C. § 102(b).

Since Oiwa does not show or even suggest all of the limitations of dependent claim 20 (20/14), Applicant also respectfully requests the Examiner to reconsider and withdraw the rejection under 35 U.S.C. § 103(a).

In this regard, Applicant respectfully submits that the proposed amendment to independent claim 14 does not require any further search or consideration by the Examiner, whereby Applicant respectfully requests the Examiner to enter the proposed amendment to claim 14 and to find the application to be in condition for allowance with all of claims 14-21, 23 and 26.

Since Applicant sincerely believes that Applicant’s disclosed alternator structure is patentably distinct from Oiwa’s disclosure, if Examiner Vortman feels that the application is not now in condition for allowance, he is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,


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